

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHRISTINE LUCERO, as Next Friend
to DAN LUCERO

Plaintiff,

v.

No. 2:19-cv-00445-KWR-KRS

CITY OF CLOVIS POLICE DEPARTMENT et al.,

Defendants.

**ORDER GRANTING PLAINTIFF'S SECOND MOTIONS TO COMPEL, GRANTING
ORAL MOTION TO WITHDRAW, AWARDING ATTORNEYS FEES, AND
DIRECTING PLAINTIFF'S TO SUBMIT ITEMIZATION
OF COSTS AND FEES.**

THIS MATTER comes before the Court on Plaintiff's Second Motion to Compel against Defendant Brent Aguilar (Doc. 52); Plaintiff's Second Motion to Compel against Defendants City of Clovis and Douglas Ford (Doc. 53); and Defendants' Motion to Compel (Doc. 58). The Court has considered the parties' submissions along with the available record and heard oral argument on the motions on June 11, 2020. At the conclusion of the hearing, the Court announced its decision from the bench. The Court granted Plaintiff's motions to compel, ordered Defendants to supplement discovery, awarded attorney's fees, and granted Defendants' oral motion to withdraw their motion to compel.

IT IS, THEREFORE, ORDERED that Plaintiff's motions to compel (Docs. 52 and 53) are **GRANTED** for the reasons stated on the record.

IT IS FURTHER ORDERED that Defendants oral motion to withdraw their motion to compel (Doc. 58) is **GRANTED** for the reasons stated on the record and hereby **WITHDRAWN** from consideration.

IT IS FURTHER ORDERED that on or before **July 3, 2020**, Defendant Aguilar fully respond to Plaintiff's discovery as discussed on the record as well as provide dates on or before **July 10, 2020** for Plaintiff to conduct Defendant Aguilar's deposition. That deposition shall be conducted on or before **August 30, 2020**.

IT IS FURTHER ORDERED that Defendants City of Clovis and Ford fully respond to Plaintiff's discovery on or before **July 10, 2020**.

IT IS FURTHER ORDERED that Plaintiff is awarded attorneys fees and costs in connection with preparing and litigating the two second motions to compel (Docs. 52 & 53). Plaintiff shall file an itemization of costs and fees for the Court's consideration on or before **July 21, 2020**.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE